

COMBINED DECLARATION AND POWER OF ATTORNEY

IN ORIGINAL APPLICATION

Atty Dkt. No: 12765

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MOBILE PHONE WITH INTERNAL ACCOUNTING

the specification of which X is enclosed herewith or was filed on as Application Serial No. and was amended on (if applicable).

I hereby state that I have reviewed and understood the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S):

COUNTRY: _____ **APPLICATION NUMBER:** _____

DATE OF FILING: _____ **PRIORITY CLAIMED UNDER**
35 U.S.C. §119 **YES** ___ **NO** ___

COUNTRY: _____ **APPLICATION NUMBER:** _____

DATE OF FILING: _____ **PRIORITY CLAIMED UNDER**
35 U.S.C. §119 **YES** ___ **NO** ___

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37 Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO: 08/381,704 **DATE OF FILING:** 30 JAN 1995

STATUS: ___ **PATENTED** **X** **PENDING** ___ **ABANDONED**

POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

THEODORE J. BIELEN, JR., Registration No. 27,420

RICHARD ESTY PETERSON, Registration No. 26,495

THOMAS R. LAMPE, Registration No. 22,454

Address all calls to: RICHARD ESTY PETERSON

Telephone No: (510) 937-1515

Address all correspondence to: RICHARD ESTY PETERSON

RICHARD ESTY PETERSON

BIELEN, PETERSON & LAMPE

1990 N. California Boulevard, Suite 720

Walnut Creek, California 94596

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1. Full name of sole or first joint inventor: **DONALD SCOTT MCGREGOR**

Inventor's signature: *Donald Scott McGregor* Date: Nov 14, 1996


Residence: 515 SYCAMORE VALLEY ROAD WEST Citizenship: USA

DANVILLE, CALIFORNIA 94526

Post Office Addr ss: 515 SYCAMORE VALLEY ROAD WEST

DANVILLE, CALIFORNIA 94526

2. Full name of second joint inventor: GREGORY M. McGREGOR

Inventor's signatur :  Dat : 11-19-96

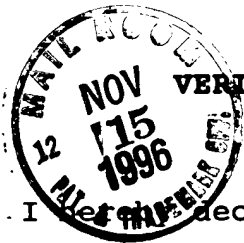
R sidenc : 515 SYCAMORE VALLEY ROAD WEST Citizenship: USA

DANVILLE, CALIFORNIA 94526

Post Office Address: 515 SYCAMORE VALLEY ROAD WEST

DANVILLE, CALIFORNIA 94526

Applicant or Patentee **Gregor, et al** Attorney's
Serial or Patent No: _____ Docket No: **12765**
Filed or Issued: _____
For: **MOBILE PHONE WITH INTERNAL ACCOUNTING**



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f)-SMALL BUSINESS CONCERN**

I ~~do~~ declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act
on behalf of the concern identified below:

NAME OF CONCERN: **TELEMAC CELLULAR CORPORATION**
ADDRESS OF CONCERN: **515 SYCAMORE VALLEY ROAD WEST**
DANVILLE, CALIFORNIA 94526

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **MOBILE PHONE WITH INTERNAL ACCOUNTING** by inventor(s) **Donald Scott McGregor and gregory M. McGregor DESCRIBED IN**

- ☒ the specification filed herewith
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: **TELEMAC CIRCULAR CORPORATION**

ADDRESS: **515 SYCAMORE VALLEY ROAD WEST, DANVILLE, CALIFORNIA 94526**

☐ INDIVIDUAL ☒ SMALL BUSINESS ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.
(37 CFR 1.28(b))

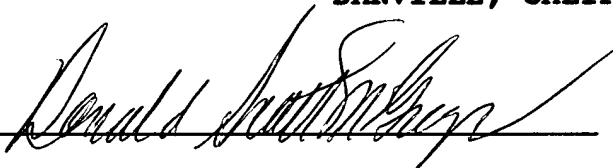
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: **DONALD SCOTT MCGREGOR**

TITLE OF PERSON OTHER THAN OWNER: **C.E.O.**

ADDRESS OF PERSON SIGNING: **515 SYCAMORE VALLEY ROAD WEST
DANVILLE, CALIFORNIA 94526**

SIGNATURE



DATE

Nov. 14, 1996



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APRIL 25, 1997

PTAS



100367631A

BIELEN, PETERSON & LAMPE
RICHARD ESTY PETERSON
1990 N. CALIFORNIA BLVD.
SUITE 720
WALNUT CREEK, CA 94596

RECEIVED

APR 25 1997

BIELEN, PETERSON & LAMPE

**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/15/1996

REEL/FRAME: 8373/0460
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MCGREGOR, DONALD SCOTT

DOC DATE: 11/13/1996

ASSIGNOR:

MCGREGORY, GREGORY M.

DOC DATE: 11/13/1996

ASSIGNEE:

TELEMAC CELLULAR CORPORATION
515 SYCAMORE VALLEY ROAD WEST
DANVILLE, CALIFORNIA 94526

SERIAL NUMBER: 08749721
PATENT NUMBER:

FILING DATE: 11/15/1996
ISSUE DATE:

TARA WASHINGTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

RE 03-06-1997

SH U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



100367631

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attached original documents or copy thereof.



Commissioner of P

Name of conveying party(ies):

McGregor, Donald Scott

McGregor, Gregory M.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Telemac Cellular Corporation

Internal Address: 60972 U.S. PTO



03/06/97

Street Address: 515 Sycamore Valley

Road West

City: Danville State: CA ZIP: 94526

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 13 November 1996

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 13 Nov 1996

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Bielen, Peterson & Lampe

Internal Address: _____

Street Address: 1990 N. California Blvd.,

Suite 720

City: Walnut Creek State: CA ZIP: 94596

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number:

02-2273

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

RICHARD ESTY PETERSON

Name of Person Signing

Signature

13 November 1996

Date

Total number of pages including cover sheet, attachments, and document: 4

ASSIGNMENT

WHEREAS, We, Donald Scott McGr gor and Gregory M. McGregor of TELEMAC CELLULAR CORPORATION, are the inventors of a new and useful

MOBILE PHONE WITH INTERNAL ACCOUNTING

for which we are about to apply for Letters Patent of the United States, the said invention being fully described in and identified by the specification and drawings in our application for Letters Patent of the United States, executed by us in the Town of Danville, County of Contra Costa, State of California.

WHEREAS, TELEMAC CELLULAR CORPORATION, a Delaware Corporation, with principal offices at 515 Sycamore Valley Road West, Danville, California 94526, is desirous of acquiring the entire right, title and interest in and to the said invention and in and to the Letters Patent thereon, when granted, and in and to any and all improvements thereon;

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN:

BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid and of other good and valuable consideration by us received from the said TELEMAC CELLULAR CORPORATION, the receipt whereof in full by us is hereby acknowledged, we, Donald Scott McGregor and Gregory M. McGregor have sold, assigned, transferred, and set over and do by these presents sell, assign, transfer, and set over unto the said TELEMAC CELLULAR CORPORATION, its successors, and assigns, the entire right, title and interest in and to our said invention and in and to the Letters Patent thereon, for the whole of the United States

and each and every foreign country, which may or shall be issued thereon, and in and to any and all improvements thereon;

THE SAME TO BE HELD AND ENJOYED BY, TELEMAT CELLULAR CORPORATION, its successors and assigns, for its own use and behoof to the full end of the term for which the said Letters Patent shall or may be granted, as fully and entirely as the same might or could have been enjoyed by us had this assignment and sale not been made.

The joint inventors agree that at the request of assignee, but not at the expense of the inventors, they will execute any instruments, sign all rightful oaths and do all lawful deeds which may be necessary to perfect title to the subject invention, applications and Letters Patent or Patents when granted.

Provided, however, that if said assignee, its successors or assigns, become bankrupt or insolvent or a receiver be appointed who takes over its assets, then and in such event this assignment shall become null and void and no effect and all right, title and interest hereby conveyed or intended to be conveyed in said application, invention and Letters Patent, when granted, shall revert to said assignors, as owners and title holders of the entire interest pursuant to the foregoing.

In the event that either one or both of the joint inventors is involuntarily or constructively terminated from employments at assignee, TELEMAT CELLULAR CORPORATION, prior to the voluntary retirement or, prior to the customary retirement age set by the employment policies of TELEMAT CELLULAR CORPORATION, then the terminated inventor shall be entitled to a reasonable royalty,

no more than two and one-half percent (2.5%) of gross sales of systems incorporating the subject invention from the date of termination to the expiration date of the patent or patents. The terms, conditions and amount of the royalty shall be negotiated in good faith between the parties and depend in part on such factors as whether one or both inventors have been terminated, the length of service to the corporation, the significance of the subject invention to the systems incorporating the invention, and other equitable factors.

AND WE HEREBY AUTHORIZE AND REQUEST the Commissioner of Patents and Trademarks to issue the said United States Letters Patent on our said invention, when granted, unto our assignee, **TELEMAC CELLULAR CORPORATION**, a Corporation, in accordance with this assignment.

IT IS WITNESS WHEREOF, we, the said Donald Scott McGregor and Gregory M. McGregor, hereunto set our hands at and in the Town of Danville, County of Contra Costa, State of California, this 14 day of Nov., 1996.


DONALD SCOTT MCGREGOR


GREGORY M. MCGREGOR

APR 1 1995



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DATE: 03/20/95
TO:

MILLEN, PETERSON & LAMPE

N05A

RICHARD ESTY PETERSON
1990 N. CALIFORNIA BLVD.
STE. 720
WALNUT CREEK, CA 94596

Received
MAR 10 1999
Group 2700

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:
MCGREGOR, DONALD SCOTT

DOC DATE: 01/30/95

ASSIGNOR:
MCGREGOR, GREGORY M.

DOC DATE: 01/30/95

RECORDATION DATE: 01/30/95 NUMBER OF PAGES 004 REEL/FRAME 7330/0835

DIGEST: ASSIGNMENT OF ASSIGNOR'S INTEREST

ASSIGNEE:
TELEMAC CELLULAR CORPORATION
515 SYCAMORE VALLEY ROAD WEST
DANVILLE, CA 94526

SERIAL NUMBER 8-381704 FILING DATE 01/30/95
PATENT NUMBER ISSUE DATE 00/00/00


EXAMINER/PARALEGAL
ASSIGNMENT BRANCH
ASSIGNMENT/CERTIFICATION SERVICES DIVISION



PATENTS ONLY 08381704 - 581 A7D

Tab settings ⇄ ⇄ ⇄ ▼

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

DONALD SCOTT MCGREGOR
GREGORY M. MCGREGORAdditional name(s) of conveying party(ies) attached? ☐ Yes ☐ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other 19

Execution Date: 30 January 1995

2. Name and address of receiving party(ies):

Name: TELEMAC CELLULAR CORPORATION

Internal Address: _____

Street Address: 515 Sycamore Valley RoadWestCity: Danville State: CA ZIP: 94526Additional name(s) & address(es) attached? ☐ Yes ☐ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 27 January 1995

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Richard Esty Peterson

Internal Address: _____

Street Address: 1990 N. CaliforniaBld., Ste. 720City: Walnut Creek State: CA ZIP: 945966. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41):..... \$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

02-2273

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

970 DF 02/09/95 08381704 1 581 40.00 CK

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

RICHARD ESTY PETERSON

Name of Person Signing

Signature

30 JAN 95

Date

Total number of pages comprising cover sheet: 4

A S S I G N M E N T

WHEREAS, We Donald Scott McGregor and Gregory M. McGregor are the inventors of a new and useful:

MOBILE PHONE WITH INTERNAL ACCOUNTING

for which we are about to apply for Letters Patent of the United States, the said invention being fully described in and identified by the specification and drawings in our application for Letter Patent of the United States, executed by us in the County of Contra Costa, State of California on X 791-30-1985 respectively, and

WHEREAS, Telemac Cellular Corporation, hereinafter **TELEMAC**, a Delaware corporation, with principal offices at 515 Sycamore Valley Road West, Danville, California 94526, is desirous of acquiring the entire right, title and interest in and to the said invention and in and to the Letters Patent thereon, when granted, and in and to any and all improvements thereon subject to the conditions stated herein:

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN:

BE IT KNOWN that for and in consideration of the sum of One Dollar (\$1.00) to us in hand paid and of other good and valuable consideration by us received from the said **TELEMAC**, the receipt whereof in full by us is hereby acknowledged. We, Donald Scott McGregor and Gregory M. McGregor, have assigned, transferred, and set over and do by this instrument assign, transfer, and set over unto the said **TELEMAC**, its successors, and assigns, the entire right, title and interest in and to our said invention and in and to the Letters Patent or Patents issuing thereon, for the whole of

REEL 7330 FRAME 836

the United States and each and every foreign country, in which patents may or shall be issued thereon, and in and to any and all improvements thereon subject to the conditions stated herein;

THE SAME TO BE HELD AND ENJOYED BY, TELEMAC, its successors and assigns, for its own use and behoof to the full end of the term for which the said Letters Patent or Letters Patents shall or may be granted, as fully and entirely as the same might or could have been enjoyed by us had this assignment and transfer not been made.

The joint inventors agree that at the request of assignee, but not at the expense of the inventors, they will execute any instruments, sign all rightful oaths and do all lawful deeds which may be necessary to perfect title to the subject invention, applications and Letters Patent or Patents when granted.

Provided, however, that if said assignee, its successors or assigns, become bankrupt or insolvent or a receiver be appointed who takes over its assets, then and in such event this assignment shall become null and void and no effect and all right, title and interest hereby conveyed or intended to be conveyed in said application, invention and Letters Patent, when granted, shall revert to said assignors, as owners and title holders of the entire interest pursuant to the foregoing.

In the event that either one or both of the joint inventors is involuntarily or constructively terminated from employment at assignee, TELEMAC, prior to the voluntary retirement or, prior to the customary retirement age set by the employment

policies of TELEMAC, then the terminated inventor shall be entitled to a reasonable royalty, no more than two and one-half percent (2.5%) of gross sales of systems incorporating the subject invention from the date of termination to the expiration date of the patent or patents. The terms, conditions and amount of the royalty shall be negotiated in good faith between the parties and depend in part on such factors as whether one or both inventors have been terminated, the length of service to the corporation, the significance of the subject invention to the systems incorporating the invention, and other equitable factors.

AND WE HEREBY AUTHORIZE AND REQUEST the Commissioner of Patents and Trademarks to issue the said United States Letters Patent on our said invention, when granted, unto our assignee, Telemac Cellular Corporation, a corporation of Delaware, in accordance with this assignment.

IN WITNESS WHEREOF, We, the said inventors and assignors, hereunto set our hand at and in the town of Danville, County of Contra Costa, State of California, to effect this assignment as of

Jan. 30, 1995

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
JAN 30 1995

JAN 30 95

Donald Scott McGregor
DONALD SCOTT MCGREGOR

x Gregory M. McGregor
GREGORY M. MCGREGOR

REEL 1330 FRAME 838